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SENATE BILL 775

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO TELECOMMUNICATIONS; ENACTING A NEW SECTION OF THE  
NEW MEXICO TELECOMMUNICATIONS ACT TO CREATE A PERFORMANCE  
ASSURANCE PLAN FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the New Mexico

Telecommunications Act is enacted to read:

"NEW MATERIAL PERFORMANCE ASSURANCE PLAN FUND--CREATED--  
APPROPRIATION. --

A. The "performance assurance plan fund" is created  
in the state treasury. The fund shall be administered by the  
commission. The fund shall consist of payments made by a  
telecommunications company to the state pursuant to the terms  
of a performance assurance plan. Earnings to the fund shall be  
credited to the fund and the fund shall not revert at the end

underscored material = new  
[bracketed material] = delete

1 of any fiscal year. The fund is appropriated to the commission  
2 for the purpose of administering, auditing and overseeing the  
3 performance assurance plan.

4 B. As used in this section, "performance assurance  
5 plan" means a commission-approved, self-executing remedy plan  
6 to ensure that a telecommunications company provides adequate  
7 wholesale service to competitors after the company gains entry  
8 into the interlocal access transport area long-distance market  
9 in its region pursuant to 47 USCA 271. "